IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

**WRIT PETITION NO. 1399 OF 2004**

Rashtriya Mill Mazdoor Sangh ...Petitioner

Versus

Regional Provident Fund Commissioner & Ors. ...Respondents

Ms. N.D. Buch instructed by Ms. B.B. Dholakia for the Petitioner

Ms. S.V. Bharucha for Respondent No. 1

Mr. Ajay Fernandes instructed by Mrs. M.H. Doshi for Respondent No. 2.

**CORAM**: **DALVEER BHANDARI, C.J., &**
**S.J. VAZIFDAR, J.**
**DATE: AUGUST 30, 2005**.

**P.C.**

1. The learned counsel appearing for the Regional Provident Fund Commissioner submits that respondent No. 1 is prepared to pay the entire outstanding amount with interest to all the employees, provided they fulfil necessary formalities and complete the forms. The learned counsel for the petitioner submits that the employees are prepared to

fulfil the formalities, and for that purpose, they agree to visit the Office of the Regional Provident Fund Commissioner on 12th September, 2005 at 11 a.m. In case there are some objections in the forms, those objections will also be removed by the employees and the forms will be re-submitted to the Office of the Regional Provident Fund Commissioner; and after scrutiny of those forms, within one week thereafter, the entire amount with interest will be paid to those employees. The Office of the Regional Provident Fund Commissioner would be at liberty to adjust the amount, if already paid. No further directions are necessary in this petition. This petition is accordingly disposed of.

2. The petitioner would be at liberty to revive the petition, in case the amount due and payable to the employees is not paid within the stipulated period.

**CHIEF JUSTICE**

**S.J. VAZIFDAR, J.**